

## REMARKS

Claims 1-25 are pending in the application. The Examiner rejected Claims 1-25 under 35 U.S.C. §103(a) as being unpatentable over Kirby et al. (U.S. Patent 6,549,229) in view of Cline (U.S. Patent 4,903,298).

Regarding the rejection of independent Claims 1, 19 and 25 under §103(a), the Examiner states that Kirby et al. in view of Cline renders the claims unpatentable. Kirby et al. discloses a small, portable, self-contained, video teleconferencing system; and, Cline discloses a system for providing encryption and decryption of voice and data transmissions to and from an aircraft.

Cline states in col. 14, lines 20-30:

Referring now to FIG. 6 in particular, the transmission paths for the encryption/decryption unit 200 are illustrated for the condition when the active control unit is in the clear mode. All the relays 210-218 are shown in their unenergized states with an electrical connection through the normally closed contacts of each relay and no electrical connection through the normally open contacts. That is, the connections shown in FIG. 6 are those that occur when no power is applied to the coils of the relays.

Cline teaches a system that defaults to its unencrypted mode when no power is supplied to its device.

Further, Cline teaches away from any other configuration in stating at col. 14, lines 30-34, “Since the clear mode is likely to be the most frequently occurring mode, this is a particularly advantageous feature because the circuit does not require the power to energize a coil to maintain this mode.”

Claim 1 recites a controller coupled to the black side and the red side switches for powering down the switches in a secure mode and powering up the switches in a non-secure mode, wherein in the secure mode (i.e. power down mode) the relays default to connect the encryption device into a communication path.

Claim 19 recites if the operating mode is the secure mode, *powering down and defaulting to second contacts of two switches and communicating data between the two switches via a secure module*; and if the operating mode is the non-secure mode, powering up and enabling first contacts of the two switches and communicating data between the two switches directly.

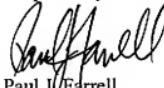
Claim 25 recites a controller for controlling the black side and the red side switches to *power down and default to a secure path* connection between the black side and the red side switches via the encryption device or to power up and enable a non-secure path connection directly between the black side and the red side switches.

It is respectfully submitted that neither Kirby et al. nor Cline, either alone or in combination, teach or disclose at least the feature of powering down switches to default to a secure mode operation, as recited in Claims 1, 19 and 25.

Independent Claims 1, 19 and 25 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2-18 and 20-24, these are likewise believed to be allowable by virtue of their dependence on their respective amended independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 2-18 and 20-24 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-25, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,



Paul J. Farrell  
Reg. No. 33,494  
Attorney for Applicant

THE FARRELL LAW FIRM  
333 Earle Ovington Blvd. Suite 701  
Uniondale, New York 11553  
Tel: (516) 228-3565  
Fax: (516) 228-8475

PJF/MJM/df